

REMARKS

Claims 1-26 are pending in the present application. Claims 1, 4, 8, 16 and 17 have been amended. Claims 19-26 have been added. No new matter has been added. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Claims 1, 3-13 and 16-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Merrel, *et al.* (U.S. Patent No. 5,829,038, hereinafter "Merrel") in view of Brabandt (U.S. Patent No. 5,809,531, hereinafter "Brabandt") and further in view of "The Cache Memory" book by Him Handy (hereinafter "Handy"), claim 2 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Merrel in view of Brabandt and Handy and further in view of Klein (U.S. Patent No. 6,401,199 B1, hereinafter "Klein") and claims 14 and 15 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Merrel in view of Brabandt and Handy and further in view of Stewart, *et al.* (U.S. Patent No. 5,157,780, hereinafter "Stewart"). Applicant respectfully traverses these rejections.

Claim 1 has been amended to recite:

the interface further configured to discard all the cache mirror data designated to be written to an external memory received from the processor chip so that the cache mirror data designated to be written to the external memory is never written to any external memory during operation of the processor chip.

The Final Office Action, in responding to Applicant's previous arguments, states:

If the phrase "to be written to an external memory" is meant to refer to data that is designated (by a flag bit for example) to be written to an external memory, then later somehow loses this designation by some process and then is discarded without the data ever being written to the external memory, then this type of language should be added to the claim language. The examiner is considering any data that is present in the lower levels of the cache of Merrel to meet the claim language of "data to be written to an external memory."

(Final Office Action, page 16.) In response to the Examiner's suggestion, and for the purpose of furthering prosecution, Applicant has amended claim 1 to clarify that "cache mirror data designated to be written to the external memory is never written to any external memory."

Merrel, Handy and Brabandt alone or in combination do not teach or suggest this limitation.

Applicant further notes that this amended limitation cannot be met by the Examiner's previous interpretation of "any data that is present in the lower levels of the cache of Merrel." Applicant, therefore, respectfully submits that claim 1 is patentable over the prior art of record.

Claims 2, 3, 5-7, 19 and 20 depend from claim 1 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Claim 4 has been amended to recite, "cache mirror data designated to be written to the external memory is never written to any external memory." As discussed hereinabove with respect to claim 1, the prior art of record does not teach or suggest this limitation. Applicant, therefore, respectfully submits that claim 4 is patentable over the prior art of record.

Claim 8 has been amended to recite, "cache mirror data designated to be written to the external memory is never written to any external memory." As discussed hereinabove with respect to claim 1, the prior art of record does not teach or suggest this limitation. Applicant, therefore, respectfully submits that claim 8 is patentable over the prior art of record.

Claims 9-15, 23 and 24 depend from claim 8 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Claim 16 has been amended to recite, "cache mirror data designated to be written to external memory is never written to any external memory." As discussed hereinabove with

respect to claim 1, the prior art of record does not teach or suggest cache mirror data designated to be written to the external memory is never written to any external memory. The prior art of record, therefore, cannot teach or suggest cache mirror data designated to be written to external memory is never written to any external memory. Applicant, therefore, respectfully submits that claim 8 is patentable over the prior art of record.

Claims 17, 18, 25 and 26 depend from claim 16 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.


Claims 19-26 have been added to more comprehensively claim the invention as originally filed. Applicant respectfully submits that these claims are allowable and in condition for allowance.

Applicant has made a diligent effort to place the claims in condition for allowance.

However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Benjamin E. Nise, Applicant's attorney, at 972-732-1001, so that such issues may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge any fees that are due, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,

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Date


Benjamin E. Nise
Attorney for Applicant
Reg. No. 55,500

SLATER & MATSIL, L.L.P.
17950 Preston Rd., Suite 1000
Dallas, Texas 75252
Tel.: 972-732-1001
Fax: 972-732-9218